

GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR

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[REDACTED]
[REDACTED]

Office of the General Counsel to the Mayor

March 13, 2007

BY U.S. MAIL

[REDACTED]
Washington, DC 200

Re: Freedom of Information Act Appeal - OAG

Dear [REDACTED]

This letter responds to your administrative appeal to the Mayor under the District of Columbia Freedom of Information Act, D.C. Official Code, 2001 Ed. § 2-531 *et seq.* (the "DC FOIA"), dated February 19, 2007, and received in this office on February 27, 2007 (the "Appeal"). We forwarded the Appeal to the Office of the Attorney General of the District of Columbia ("OAG") with a request for a response. OAG responded to us by submitting for our consideration their denial to your original request (letter dated February 15, 2007 ("OAG Denial")), along with copies of the documents responsive to your FOIA Request.

In your initial FOIA Request, dated January 17, 2007, you sought the following:

"...an[y] opinion rendered by the DC Attorney General, the General Counsel to the Mayor or the General Counsel to the Council upon which the Mayor and the Council assert changes to the DC Charter may be made without the vote ratification of the District residents."

The OAG Denial confirms that OAG staff conducted a reasonable search for documents responsive to your request. Those documents were submitted to our office for consideration. Upon review, we concur with the opinion of the Special Counsel for OAG that those documents are legally privileged and exempt from disclosure under DC FOIA as inter-agency or intra-agency memoranda or letters.

Therefore, the appeal is hereby DISMISSED.

[REDACTED]
March 13, 2007

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Please note that this determination expresses no opinion on whether you made an appropriate FOIA request to the General Counsel for the Council of the District of Columbia.

If you are not satisfied with this decision, you are free under the DC FOIA to commence a civil action against the District of Columbia government at any time in the District of Columbia Superior Court.

Regards,



Andrew T. Richardson, III, Esq.
Deputy General Counsel, EOM

cc: Thorn Pozen, Esq.
[REDACTED]